DT03 Rec'd PCT/PTO 1 4 OCT 2004

PTO-1390 (Rev. 10-2004)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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ATTTORNEY'S DOCKET NUMBER TRANSMITTAL LETTER TO THE UNITED STATES 257.P2US DESIGNATED/ELECTED OFFICE (DO/EO/US) **CONCERNING A SUBMISSION UNDER 35 U.S.C. 371** INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED INTERNATIONAL APPLICATION NO. 25 April 2003(25.04.03) 26 April 2002 (26.04.02) PCT/US03/12901 TITLE OF INVENTION CELLULAR ACCUMULATION OF PHOSPHONATE ANALOGS OF HIV PROTEASE INHIBITOR COMPOUNDS AND THE COMPOUNDS AS SUCH APPLICANT(S) FOR DO/EO/US ARIMILLI, Murty N. et al. (see attached for additional applicants) Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: X This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. X, The US has been elected (Article 31). X A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (required only if not communicated by the International Bureau). has been communicated by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US). An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). is attached hereto. has been previously submitted under 35 U.S.C. 154(d)(4). 7. X Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) are attached hereto (required only if not communicated by the International Bureau). have been communicated by the International Bureau. have not been made, however, the time limit for making such amendments has NOT expired. have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). X An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. l An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. L l A preliminary amendment. An Application Data Sheet under 37 CFR 1.76. A substitute specification. 16. X A power of attorney and/or change of address letter. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. L A second copy of the published International Application under 35 U.S.C. 154(d)(4). A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 20. X Other items or information: List of Applicants

This collection of information is required by 37 CFR 1.414 and 1.491.1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER PCT/US03/12901 257.P2US **CALCULATIONS** PTO USE ONLY 21. X The following fees are submitted: BASIC NATIONAL FEE (CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$950.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) 950.00 ENTER APPROPRIATE BASIC FEE AMOUNT = Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). NUMBER FILED NUMBER EXTRA RATE \$ CLAIMS Total claims 99 79 Х \$18.00 \$1,422.00 - 20 = 0 Independent claims - 3 = X \$88.00 MULTIPLE DEPENDENT CLAIM(S) (if applicable) \$300.00 300.00 TOTAL OF ABOVE CALCULATIONS = \$2,672.00 Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced SUBTOTAL = \$2,672.00 Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). \$2,672.00 TOTAL NATIONAL FEE = Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property \$ 2,672.00 TOTAL FEES ENCLOSED = Amount to be \$ refunded: Amount to be \$ charged: A check in the amount of \$ _ to cover the above fees is enclosed. Please charge my Deposit Account No. 07-1250 in the amount of \$2.672.00 to cover the above fees. b. X A duplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 0.7-1250. A duplicate copy of this sheet is enclosed. c. [X] Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. SEND ALL CORRESPONDENCE TO: GILEAD SCIENCES, INC. SIGNATURE 333 Lakeside Drive Mark L. Bosse Foster City, CA 94404 NAME 35,071 REGISTRATION NUMBER

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Continued List of Applicants

Becker, Mark M. Mitchell, Michael L.

Bryant, Clifford Nelson, Peter H.

Chen, James M. Pyun, Hyung-Jung

Chen, Xiaowu Rowe, Tanisha D.

Dastgah, Azar Sparacino, Mark

Fardis, Maria Swaminathan, Sundaramoorthi

He, Gong-Xin Tario, James D.

Jin, Haolun Wang, Jianying

Kim, Choung U. Williams, Matthew A.

Lee, William A. Xu, Lianhong

Lee, Christopher P. Yang, Zheng-Yu

Lin, Kuei-Ying Yu, Richard H.

Liu, Hongtao Zhang, Jiancun

Mackman, Richard L. Zhang, Lijun

PATENT COOPERATION TREATY IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

In re U.S. NATIONAL APPLICATION of) Agent's File Ref. 257.P2US
Arimilli et al.))
U.S. National Filing of International Application No.: PCT/US03/12901)))
International Filing Date: 25 April 2003))
For: CELLULAR ACCUMULATION OF PHOSPHONATE ANALOGS OF HIV PROTEASE INHIBITOR COMPOUNDS AND THE COMPOUNDS AS SUCH))))

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Express Mail Mailing Label No. <u>EL939648572US</u>
Date of Deposit: <u>Octobri 14 2004</u>

I hereby certify that the attached Transmittal Letter, copy of Power of Attorney filed in PCT Parent Application, and Declaration are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Robin Torres